

CLASSIFICATION OFFICE DECISION

Title of publication: Child Rape.mov

Other known title(s): Video 3

OFLC ref: 2000163.002

Medium: Video File

Maker: Not stated

Country of origin: Not stated

Language: Hindi

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 23 July 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 23 July 2020

	Components	Running time
Timed component(s):	Child Rape.mov	0:27
Total running time:		0:27

Summary of reasons for decision:

The publication depicts a man caught in the act of abusing a child. The Classification Office has considered whether the video file promotes or supports, or tends to promote or support, the exploitation of children for sexual purposes and has concluded that it does not. However, the unrestricted availability of the video file is still likely to be injurious to the public good. Despite the lack of explicit detail in the footage, as a record of a real-world sexual assault on a child, it is likely to be particularly shocking and disturbing to children and teenagers given the young age of the subject, and to people of all ages who have experienced such abuse. Adults, while also likely to find it disturbing, are more likely to understand the nature of the video and less likely to experience lasting

harm from it. Child Rape.mov is therefore classified as restricted to adults. This classification is a limit on the right to freedom of expression as stated in the New Zealand Bill of Rights Act 1990 but is determined to be a justifiable limitation on that right in order to prevent injury to the public good.